UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,833	02/07/2002	Von K. McConnell	1811	2846

28005 7590 09/09/2005

SPRINT
6391 SPRINT PARKWAY
KSOPHT0101-Z2100
OVERLAND PARK, KS 66251-2100

EXAMINER	
SHIN, KYUNG H	
ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/071,833	MCCONNELL ET AL.	
	Examiner	Art Unit	
	Kyung H. Shin	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6/23/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is responding to application papers filed 7/5/2005.

2. Claims **1 - 41** are pending. Claims 3 has been amended. Independent claims are **1, 3, 12, 17, 26, 36**.

Response to Arguments

3. Applicant's arguments filed 7/5/2005 have been fully considered but they are not persuasive.

3.1 Applicant argues that the referenced prior art does not disclose all limitations of independent claims 1, 3, 12, 17, 26, 36. The referenced prior art discloses the independent claim1 limitation: *" ... extracting from a data store a set of data usable by an application server to carry out a communication service ... "* The prior art discloses a data store (i.e. analogous to a database), the information from the data store is utilized to facilitate communications (i.e. a communication service) between two CDs (i.e. Communications Devices (CDs), communication endpoints). (see Maggenti col. 2, lines 33-38: communications between endpoints ; col. 17, lines 14-26: data store ; col. 24, lines 55-57: application service ; col. 12, lines 3-7: initiate (i.e. based on invitation) communications)

The referenced prior art discloses the claim 1 limitation: *" ... outputting the signaling message for transmission over a network ... ".* The prior art discloses signaling messages utilized to facilitate communications between

two CDs (i.e. communications endpoints). The prior art discloses signaling messages to enable communications between endpoints. (see Maggenti col. 2, lines 33-38: communications between endpoints ; col. 21, lines 4-9: communications signaling messages)

The referenced prior art discloses the claim 1 limitation: " ... *making the set of data available for use by the applications server in carrying out the communications service* ... ". The referenced prior art discloses application service software (i.e. an application server) utilized to enable communications between CDs (i.e. communication endpoints). The communications is based on requests from clients (i.e. endpoints) and processed by the server. The data from a data store (i.e. a database) is utilized to facilitate communications. (see Maggenti col. 24, lines 55-57: application server ; col. 21, lines 4-9; col. 17, lines 14-26: data store ; col. 2, lines 33-38: communication between endpoints)

3.2 The referenced prior art discloses the independent claim 3 limitation: " ... *receive an initiation message indicative of a request by an entity to engage in a communication* ... ". The referenced prior art discloses communications between two CDs (i.e. communications endpoints) with the generation and transmission of a communications initiation message (i.e. a request) to start a communications session. (see Maggenti col. 2, lines 33-38: communications between endpoints ; col. 21, lines 4-9: request to initiate communication session)

The referenced prior art discloses the independent claim 3 limitation: "... *extracting from a first data store a set of data usable by an endpoint application to set up the communication ...*". The referenced prior art discloses a data store (i.e. database) utilized to retrieve information to facilitate (i.e. setup and initiate) communications between two endpoints and an application service software module utilized to setup communications between two endpoints. (see Maggenti col. 17, lines 14-26: data store ; col. 24, lines 55-57: application service software)

The referenced prior art discloses the independent claim 3 limitation: "... *outputting the session initiation message for transmission to the endpoint application and making the set of data available for use by the endpoint application to set up communications ...*". (see Maggenti col. 2, lines 33-38: communications between endpoints ; col. 12, lines 3-7: parameters embedded within response for usage to setup and initiate communications between endpoints ; col. 24, lines 55-57: application service software)

3.3 The referenced prior art discloses the independent claim 12 limitation: "... *an initiation message over a radio access network ...*". The referenced prior art discloses an initiation message to setup and initiate communication between two endpoints utilizing a radio (i.e. wireless) type communication network. (see Maggenti col. 2, lines 33-38: communication between endpoints ; col. 21, lines 4-9: communication initiation message ; col. 21, lines 25-29: radio based communication)

The referenced prior art disclose the independent claim 12 limitation: " ... *transmitting the initiation message over the packet-switched network ...* ", " ... *receiving the initiation message ...* ". The referenced prior art discloses a session initiation request to initiate the transmission of data packets (i.e. packet switched network) for communication between two endpoints. (see Maggenti col. 2, lines 33-38: communication between endpoints utilizing data packet (i.e. packet switched network) ; col. 21, lines 4-9: respond to session initiation request)

The referenced prior art disclose the independent claim 12 limitation: " ... *extracting from a data store a set of data usable by an application server to set up the communication ...* ". The referenced prior art discloses a data store (i.e. database) utilized to retrieve information to facilitate (i.e. setup and initiate) communications between two endpoints and an application service module utilized to setup communications between two endpoints. (see Maggenti col. 17, lines 14-26: data store ; col. 24, lines 55-57: application service module)

The referenced prior art disclose the independent claim 12 limitation: " ... *processing the initiation message in the application server and making the set of data available for use by applications server ...* ". The referenced prior art discloses application service module (i.e. an application server) utilized to enable communications between CDs (i.e. communication endpoints). The communications is based on requests from clients (i.e. endpoints) and processed by the server. The data from a data store (i.e. a database) is

utilized to facilitate communications. (see Maggenti col. 24, lines 55-57: application server ; col. 21, lines 4-9; col. 17, lines 14-26: data store ; col. 2, lines 33-38: communication between endpoints)

3.4 The referenced prior art discloses the independent claim 17 limitations: *" ... a processor ...", " ... data storage ... ", " ... user-profile data stored in the data storage ... "*. The referenced prior art discloses a computer system processor to control operation of software modules implementing a communications package. In addition, the referenced prior art discloses a data store providing user connection information which is utilized to facilitate communication between two endpoints. (see Maggenti col. 49, lines 38-39; col. 15, lines 38-44: processor ; col. 17, lines 14-26: data store ; col. 12, lines 3-7: session initiation message)

The referenced prior art discloses the independent claim 17 limitation: *" ... receive a session initiation message ... ", " ... transmission via a packet-switched network to an endpoint ... ", ' ... session initiation message begin indicative of a request to set up a communication ... "*. The referenced prior art discloses a session initiation request to initiate the transmission of data packets (i.e. packet switched network) for communication between two endpoints. (see Maggenti col. 2, lines 33-38: communication between endpoints utilizing data packet (i.e. packet switched network) ; col. 21, lines 4-9: respond to session initiation request)

The referenced prior art discloses the independent claim 17 limitation: *" ...*

extract from a profile store data usable by the application server to facilitate performance of the service ... " and " *... make the data available for use by the application server ...* ". The referenced prior art discloses a data store (i.e. database) that is used to extract communication connection information for a particular user. In addition, the referenced prior art discloses an application service module which is used to facilitate communication between two endpoints. (see Maggenti col. 17, lines 14-26: data store for user information ; col. 24, lines 55-57: application service module ; col. 2, lines 33-38: communications between endpoints)

3.5 The referenced prior art discloses independent claim 26 limitation: " *... extract from a profile store data usable by the application server to facilitate performance of the service ...* " and " *... make the data available for use by the application server ...* ". The referenced prior art discloses a data store that is used to extract communication connection information for a particular user. In addition, the referenced prior art discloses an application service module, which is used to facilitate communication between two endpoints. (see Maggenti col. 17, lines 14-26: data store for user information ; col. 24, lines 55-57: application service module ; col. 2, lines 33-38: communications between endpoints)

3.6 The referenced prior art discloses independent claim 36 limitation: " *... receiving into a registration server a signaling message indicating that a user is online in a communication network ...* " After the completion of an initiation

request, the referenced prior art discloses the capability to place an endpoint in an online state within a communication network. (see Maggenti col. 21, lines 4-9: endpoint communication request processed and user (i.e. communication endpoint) placed in an online state)

The referenced prior art discloses independent claim 36 limitation: " ... *extracting from a data store a buddy-list designated for the user, ... making the buddy-list available for use by an application server in setting up a communication ...* ". The referenced prior art discloses a list of members (i.e. a buddy list) that is available for usage in communication sessions, which are setup and initiated by an application service module. (see Maggenti col. 10, lines 56-62: net list (i.e. group list, buddy list) ; col. 24, lines 55-57: application service module) Therefore, the rejection of claims 1-41 is proper and maintained herein.

Claim Rejection - 35 USC § 102

The text of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1 - 10, 17 - 19, 21 - 29, 31 - 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Maggenti et al. (US Patent No. 6,447,150).

Regarding Claim 1, Maggenti discloses a method comprising: receiving into a network entity a signaling message indicative of a network communication;

a) the network entity responsively extracting from a data store (see Maggenti col. 17, lines 42-46: database (i.e. data store)) a set of data usable by an application server to carry out a communication service in response to the signaling message; (see Maggenti col. 12, lines 3-7: session initiation, signaling parameters embedded in response to communications device (i.e. client))

b) the network entity:

(i) outputting the signaling message for transmission over a network to the application server (see Maggenti col. 21, lines 4-9: communications session server processing signaling messages) and

(ii) making the set of data available for use by the application server in carrying out the communication service in response to the signaling message. (see Maggenti col. 12, lines 3-7: session communications information available to initiate session by server)

Regarding Claim 2, Maggenti discloses the method of claim 1, wherein the communication service is selected from the group consisting of (i) a group conferencing service, (ii) a multicasting service, and (iii) a voice mail service. (see Maggenti col. 4, lines 33-37; col. 22, lines 45-50; col. 14, lines 63-67: group conferencing, multicast, and voice mail services)

Regarding Claim 3, Maggenti discloses a method comprising:

a) receiving an initiation message indicative of a request by an entity to engage in a communication; (see Maggenti col. 21, lines 4-9: session initiation request message received)

b) responsively extracting from a first data store a set of data usable by an endpoint application to set up the communication; (see Maggenti col. 12, lines 3-7; col. 17, lines 8-11: server processes session initiation request from client (i.e. endpoint) utilizing database information) and

c) outputting the ~~session~~ initiation message for transmission to the endpoint application and making the set of data available for use by the endpoint application to set up the communication. (see Maggenti col. 12, lines 3-7: communication parameters embedded in response message to client (i.e. endpoint))

Regarding Claim 4, Maggenti discloses the method of claim 3, wherein the entity comprises a SIP user, and the initiation message comprises a SIP INVITE request. (see Maggenti col. 11, lines 52-55; col. 11, lines 60-63: SIP protocol, SIP INVITE signaling message from client (i.e. endpoint))

Regarding Claim 5, Maggenti discloses the method of claim 3, wherein making the set of data available for use by the endpoint application to set up the communication comprises: sending the set of data to the endpoint application. (see Maggenti col. 12, lines 3-7: communication signaling information embedded within response sent to client (i.e. endpoint))

Regarding Claim 6, Maggenti discloses the method of claim 3, wherein making the set of data available for use by the endpoint application to set up the communication comprises: adding the set of data to the initiation message that is output for transmission to the endpoint application. (see Maggenti col. 12, lines 3-7: session communications initiation information added to client (i.e. endpoint) response)

Regarding Claim 7, Maggenti discloses the method of claim 3, wherein making the set of data available for use by the endpoint application to set up the communication comprises: publishing the set of data to a second data store that is accessible by the endpoint application. (see Maggenti col. 15, lines 22-34: local memory (i.e. second data store) utilized in communications data processing, accessible by servers and users (i.e. endpoint))

Regarding Claim 8, Maggenti discloses the method of claim 3, wherein making the set of data available for use by the endpoint application to set up the communication comprises: sending to the endpoint application a pointer to the set of data in the second data store. (see Maggenti col. 15, lines 22-34: local memory (i.e. second data store) utilized in communication data processing, accessible by servers and users (i.e. endpoint))

Regarding Claim 9, Maggenti discloses the method of claim 3, wherein making the set

of data available for use by the endpoint application to set up the communication comprises: publishing the set of data on a message bus accessible by the endpoint application. (see Maggenti col. 9, lines 41-45; col. 15, lines 11-15: communications interface (i.e. message bus) for communications data processing by communications device (i.e. endpoint))

Regarding Claim 10, Maggenti discloses the method of claim 3, wherein the communication comprises a push-to-talk (PTT) session, the endpoint application comprises a PTT server, and the set of data comprises a PTT group-list designated for the entity. (see Maggenti col. 5, lines 9-11; col. 5, lines 41-46: PTT (i.e. push-to-talk) server and communication device (i.e. endpoint) in PTT session)

Regarding Claim 17, Maggenti discloses a system comprising:

a) a processor; (see Maggenti col. 49, lines 38-39; col. 15, lines 38-44: processor, workstation (i.e. SUN) processor)

b) data storage; (see Maggenti col. 17, lines 8-11: databases for communications and user parameters)

c) user-profile data stored in the data storage; (see Maggenti col. 17, lines 14-26: user database (i.e. user profile information))

d) proxy-server logic stored in the data storage and executable by the processor to receive a session initiation message and to responsively output the session initiation message for transmission via a packet-switched network to an

endpoint application, the session initiation message being indicative of a request to set up a communication involving a user; (see Maggenti col. 12, lines 3-9; col. 21, lines 4-9: session signaling messages processed to initiate communications) and

e) data-management logic stored in the data storage and executable by the processor, in response to receipt of a session initiation message,

(i) to extract from the user-profile data a set of data usable by the endpoint application to facilitate set-up of the communication (see Maggenti col. 17, lines 14-26; col. 12, lines 3-7: user database (i.e. user profile information), response setup with communications parameters) and

(ii) to make the set of data available for use by the endpoint application in responding to the session initiation message. (see Maggenti col. 12, lines 3-7: data embedded within transmission response to client (i.e. endpoint))

Regarding Claim 18, Maggenti discloses the system of claim 17, wherein the set of data comprises a buddy-list designated for the user. (see Maggenti col. 10, lines 33-37: user specific buddy list storage)

Regarding Claim 19, Maggenti discloses the system of claim 17, wherein the communication comprises a push-to-talk (PTT) communication session, and wherein the endpoint application comprises a PTT server. (see Maggenti col. 5, lines 9; col. 5, lines 41-46: PTT (i.e. push-to-talk) server and communication device (i.e. endpoint) in

PTT session)

Regarding Claim 21, Maggenti discloses the system of claim 17, wherein the data-management logic is executable to make the set of data available by placing the set of data on a message bus accessible over the packet-switched network by the endpoint application. (see Maggenti col. 12, lines 3-7; col. 9, lines 41-45: session signaling response messages processed through communication interface (i.e. messages bus))

Regarding Claim 22, Maggenti discloses the system of claim 17, wherein the data-management logic is executable to make the set of data available by publishing the set of data to a data store accessible by the endpoint application. (see Maggenti col. 15, lines 22-34: local memory (i.e. second data store) utilized in communications data processing, accessible by servers and users (i.e. client or endpoint))

Regarding Claim 23, Maggenti discloses the system of claim 22, further comprising the data store. (see Maggenti col. 17, lines 8-11: communications information within database (i.e. data storage))

Regarding Claim 24, Maggenti discloses the system of claim 17, wherein the data-management logic is executable to make the set of data available by inserting the set of data in the session initiation message that the processor outputs for transmission to the endpoint application. (see Maggenti col. 12, lines 3-7: set of data inserted within session

initiation response message transmitted to user (i.e. client or endpoint))

Regarding Claim 25, Maggenti discloses the system of claim 17, wherein the session initiation message is a SIP INVITE request message. (see Maggenti col. 11, lines 52-55; col. 11, lines 60-63: SIP protocol, SIP INVITE signaling message from client (i.e. endpoint))

Regarding Claim 26, Maggenti discloses in a networked platform of the type having proxy-server functionality to receive a session initiation message and to forward the session initiation message to an application server, wherein the application server then performs a service in response to the session initiation message, the improvement comprising: data-management logic executable by the platform, in response to receipt of the session initiation message,

(i) to extract from a profile store data usable by the application server to facilitate performance of the service and (ii) to make the data available for use by the application server to facilitate performance of the service. (see Maggenti col. 17, lines 8-11; col. 17, lines 14-26: user database (i.e. user profile information) used to deliver communications service)

Regarding Claim 27, Maggenti discloses the improvement of claim 26, wherein the session initiation message indicates a request by a communicating entity, and wherein the data that the platform extracts from the profile store is data designated for the communicating entity. (see Maggenti col. 17, lines 14-26: pertinent communications

data stored within user database (i.e. user profile information))

Regarding Claim 28, Maggenti discloses the improvement of claim 27, wherein the request by the communicating entity comprises a request to establish a group communication session, wherein the data comprises a group list designated for the communicating entity, the group list being usable by the application server to facilitate establishment of communication legs for the group communication session. (see Maggenti col. 10, lines 56-62; col. 11, lines 20-23: group list utilized to setup group based communications)

Regarding Claim 29, Maggenti discloses the improvement of claim 27, wherein the request by the communicating entity comprises a request to send a communication to a plurality of users, wherein the data comprises a group list designated for the communicating entity, the group list indicating the plurality of users and being usable by the application server to facilitate sending of the communication to the plurality of users. (see Maggenti col. 10, lines 56-62; col. 11, lines 20-23: group list utilized to setup group based communications)

Regarding Claim 31, Maggenti discloses the improvement of claim 26, wherein the platform makes the data available for use by the application server by sending the data to the application server. (see Maggenti col. 17, lines 8-11; col. 17, lines 14-26: user database (i.e. user profile information) used to deliver communications service)

Regarding Claim 32, Maggenti discloses the improvement of claim 26, wherein the platform makes the data available for use by the application server by adding the data to the session initiation message that the platform forwards to the application server. (see Maggenti col. 11, line 63 - col. 12, line 1: session initiation information redirected from SIP main server to SIP user agent servers for communications processing)

Regarding Claim 33, Maggenti discloses the improvement of claim 26, wherein the platform makes the data available for use by the application server by publishing the data to a data store that is accessible by the application server. (see Maggenti col. 17, lines 8-11: database information utilized by communications manager (i.e. server))

Regarding Claim 34, Maggenti discloses the improvement of claim 26, wherein the platform makes the data available for use by the application server by publishing the data to a message bus that is accessible by the application server. (see Maggenti col. 9, lines 41-45: session communications information processed utilizing communications interface (i.e. message bus))

Regarding Claim 35, Maggenti discloses the improvement of claim 26, wherein the proxy server functionality is SIP proxy server functionality, and wherein the session initiation message is a SIP INVITE request message. (see Maggenti col. 11, lines 52-55; col. 11, lines 60-63: SIP protocol, SIP INVITE signaling message from client (i.e.

endpoint))

Regarding Claim 36, Maggenti discloses a method comprising:

a) receiving into a registration server a signaling message indicating that a user is online in a communication network; (see Maggenti col. 21, lines 4-9: connection occurred (i.e. user online) session signaling messages received and processed) and

b) the registration server responsively extracting from a data store a buddy-list designated for the user, and the registration server making the buddy-list available for use by an application server in setting up a communication for the user. (see Maggenti col. 10, lines 33-40: user specific buddy list utilized for communications)

Regarding Claim 37, Maggenti discloses the method of claim 36, wherein making the buddy-list available for use by the application server in setting up a communication for the user comprises: publishing the buddy list to a data store that is accessible by the application server. (see Maggenti col. 10, lines 33-40; col. 17, lines 14-26: user specific buddy list stored within databases)

Regarding Claim 38, Maggenti discloses the method of claim 36, wherein making the buddy-list available for use by the application server in setting up a communication for the user comprises: publishing the buddy-list accessible to the application server on a message bus. (see Maggenti col. 10, lines 33-40: user specific buddy list accessible by

communications manager (i.e. server) for communications setup)

Regarding Claim 39, Maggenti discloses the method of claim 36, wherein making the buddy-list available for use by the application server in setting up a communication for the user comprises: sending the buddy-list to the application server. (see Maggenti col. 10, lines 33-40: user specific buddy list accessible by communications manager (i.e. server))

Regarding Claim 40, Maggenti discloses the method of claim 36, wherein the communication comprises a push-to-talk (PTT) session, and the application server comprises a PTT server. (see Maggenti col. 5, lines 9-11; col. 5, lines 41-46: PTT (i.e. push-to-talk) server and communication device (i.e. client or endpoint) in PTT session)

Claim Rejection - 35 USC § 103

5. Claims 11 - 16, 20, 30, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggenti et al. (US Patent No. 6,447,150) in view of Holden (US Patent No. 6,771,639).

Regarding Claim 11, Maggenti discloses a communication system utilizing an endpoint application, communications server, and a group list designated for the entity. (see Maggenti col. 3, lines 55-63; col. 10, lines 56-62: communications server, group list

utilized) Maggenti does not disclose an instant messaging communications system. However, Maggenti discloses the method of claim 3, wherein the communication comprises an instant-messaging (IM) communication and an IM server. (see Holden col. 8, lines 63-65; col. 9, lines 2-3: instant messaging communications capabilities utilized)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maggenti to utilize clients/servers within an instant messaging communications service as taught by Holden. One of ordinary skill in the art would be motivated to employ Holden in order to enable increased capacity and reliability for communications over a packet based network. (see Holden col. 1, lines 19-22: *" ... increased capacity and reliability of packet-based data networks, voice communications (including telephone calls, video conferencing, and so forth) over data networks ... "*)

Regarding Claim 12, Maggenti discloses a method comprising:

a) transporting an initiation message over a radio access network from a wireless mobile station to a packet-switched network, the initiation message being indicative of a request from a user of the wireless mobile station to engage in a communication; (see Maggenti col. 21, lines 25-29: radio access (i.e. wireless) communications network protocol utilized)

b) Maggenti discloses transmitting the initiation message over the packet-switched network to a signaling server, and receiving the initiation message

into the signaling server; (see Maggenti col. 21, lines 4-9: session initiation (SIP) protocol communications system) Maggenti does not discloses a proxy server utilized in session communications. However, Holden discloses transmitting to a signaling proxy server and receiving initiation message into the signaling proxy server. (see Holden col. 4, lines 52-55; col. 4, lines 57-59: proxy servers utilized in communications session initiation)

c) Maggenti discloses in response to the initiation message, the signaling server extracting from a data store a set of data usable by an application server to set up the communication; (see Maggenti col. 21, lines 4-9; col. 17, lines 8-11: session initiation (SIP) communications system, setup data utilized from database) Maggenti does not discloses a proxy server utilized in session communications. However, Holden discloses a signaling proxy server processing data for session communications. (see Holden col. 4, lines 52-55; col. 4, lines 57-59: proxy servers utilized in communications session) and

d) Maggenti discloses the signaling server processing the initiation message in the application server and making the set of data available for use by the application server in responding to the initiation message. (see Maggenti col. 21, lines 4-9: session initiation (SIP) protocol communications messages processed) Maggenti does not discloses a proxy server utilized in session communications. However, Holden discloses the signaling proxy server

utilized in the initiation of session communications. (see Holden col. 4, lines 52-55; col. 4, lines 57-59: proxy servers utilized in communications session)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maggenti to utilize a proxy server in a communications session initiation as taught by Holden. One of ordinary skill in the art would be motivated to employ Holden in order to enable increased capacity and reliability for communications over a packet based network. (see Holden col. 1, lines 19-22)

Regarding Claim 13, Maggenti discloses the method of claim 12, further comprising: the application server receiving the initiation message and using the set of data to set up the communication. (see Maggenti col. 21, lines 4-9: session initiation signaling messages utilized for communications)

Regarding Claim 14, Maggenti discloses the method of claim 13, wherein the set of data comprises a buddy-list designated for the user. (see Maggenti col. 10, lines 33-40: user specific buddy list)

Regarding Claim 15, Maggenti discloses the method of claim 14, wherein the application server comprises a push-to-talk server (PTT) and the communication comprises a PTT session. (see Maggenti col. 5, lines 9-11; col. 5, lines 41-46: PTT (i.e. push-to-talk) server and communications device (i.e. client or endpoint) in PTT

session)

Regarding Claim 16, Maggenti discloses a communications server. (see Maggenti col. 3, lines 55-63: communications manager (i.e. server)) Maggenti does not disclose an instant messaging communications server. However, Holden discloses the method of claim 14, wherein the server comprises an instant messaging (IM) server, and the communication comprises an IM communication. (see Holden col. 8, lines 63-65; col. 9, lines 2-3: instant messaging communications capabilities utilized)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maggenti to utilize clients/servers within an instant messaging communications service as taught by Holden. One of ordinary skill in the art would be motivated to employ Holden in order to enable increased capacity and reliability for communications over a packet based network. (see Holden col. 1, lines 19-22)

Regarding Claim 20, Maggenti discloses a communications server. (see Maggenti col. 3, lines 55-63: communications manager (i.e. server)) Maggenti does not disclose an instant messaging communications server. However, Holden discloses the system of claim 17, wherein the communication comprises an instant-messaging (IM) communication, and an IM server. (see Holden col. 8, lines 63-65; col. 9, lines 2-3; col. 4, lines 44-50: instant messaging communications capabilities utilizing clients/servers)

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Maggenti to utilize clients/servers within an instant messaging communications service as taught by Holden. One of ordinary skill in the art would be motivated to employ Holden in order to enable increased capacity and reliability for communications over a packet based network. (see Holden col. 1, lines 19-22)

Regarding Claim 30, Maggenti discloses a communications server. (see Maggenti col. 3, lines 55-63: communications manager (i.e. server)) Maggenti does not disclose an instant messaging communications server. However, Holden discloses the improvement of claim 29, wherein the communication comprises an instant-message. (see Holden col. 8, lines 63-65; col. 9, lines 2-3: instant messaging communications capabilities utilized)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maggenti to utilize clients/servers within an instant messaging communications service as taught by Holden. One of ordinary skill in the art would be motivated to employ Holden in order to enable increased capacity and reliability for communications over a packet based network. (see Holden col. 1, lines 19-22)

Regarding Claim 41, Maggenti discloses an application server comprising a message communications server. (see Maggenti col. 3, lines 55-63: message communications manager (i.e. server)) Maggenti does not specifically disclose instant messaging

communications techniques. However, Holden discloses the method of claim 36, wherein the communication comprises an instant messaging (IM) communication and an IM server. (see Holden col. 8, lines 63-65; col. 9, lines 2-3: instant messaging communications capabilities utilized)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maggenti to utilize clients/servers within an instant messaging communications service as taught by Holden. One of ordinary skill in the art would be motivated to employ Holden in order to enable increased capacity and reliability for communications over a packet based network. (see Holden col. 1, lines 19-22)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H. Shin whose telephone number is (571) 272-3920. The examiner can normally be reached on 9 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

K H S
Kyung H Shin
Patent Examiner
Art Unit 2143

Sep. 5, 2005
KHS

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100